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Thomas J. Monahan

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29,635

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- ① Facsimile Cover Sheet directed to Examiner John R. Loftis
[Art Unit 3623; re. Appl. No. 09/808,490 telephonic interview
Scheduled for 8/31/07] [2 pages]
- ② Supported Outline of Issue to be Discussed in Telephonic Interview [2 pages]

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Monahan & Costello LLC
ATTORNEYS AT LAW

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Facsimile Cover Sheet

Attention: Examiner Johnna R. Loftis

Department: Art Unit 3623

Company Name: US PTO

Date: 30 August 2007

Facsimile Telephone No. (571) 273-8300

Re.: Appl. No. 09/808,490
RAPID RESPONSE MARKETING

Pages: 4 (including cover sheet)

From: Thomas J. Monahan (Reg. No. 29,835)

Examiner Loftis,

Further to your request regarding the telephonic interview scheduled with you tomorrow at ~ 10:00 am including myself and the inventor, here is a suggested agenda of Issues To Be Discussed. As this will involve a 3-way telephone call between CT & CA & VA, I will initiate the call as close to the proposed time as possible.

Regards,



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**RECEIVED
CENTRAL FAX CENTER****AUG 30 2007****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Suggested Outline for Telephonic Interview
(Scheduled for Friday 8-31-07 at ~ 10:00 AM)**

Applicant: Brian F. Monahan
Serial No.: 09/808,490
For: RAPID RESPONSE MARKETING
Filed: March 14, 2001
Examiner: Johnna R. Loftis Art Unit: 3623

Participants:

Brian F. Monahan (Inventor)
Thomas J. Monahan (Attorney of Record)
Johnna R. Loftis (Examiner)

Issues to be discussed:**INTRODUCTION**

- (1.) Status of Application (First Office Action; Rejection of all claims under 35 USC §103 (a) [d'Eon (USPN 6,006,197) + Robinson (USPN 5,918,014) + Canon (USPN 6,286,005)]
- (2.) Key Elements of the Invention: (a) multimedia marketing communications (advertisements) tracked (performance data collected real-time) (b) real-time analysis or processing & evaluation of collected multimedia performance data provided in a single marketing performance reporting dashboard view (reporting interface); and (c) concurrent modification/optimization of the marketing communications (advertisements) on an ongoing basis, as necessary, measured against business objectives.
- (3.) Qualifications of Inventor: Brian Monahan is an advertising executive having practiced in this area since receiving a Bachelor of Arts degree from Georgetown University in 1992. He is currently employed as a Senior Vice President by McCann Erickson, San Francisco, U.S.A (Interpublic Group, NYSE). He is the author of a number of technical publications involving advertising and has participated as an invited lecturer and authority on advertising in a significant number of domestic and international advertising conferences. He is (i) technically skilled in the marketing area that is the subject of the Invention; (ii) familiar with the prosecution history of the above-identified Application for United States Letters Patent, and (iii) has read and understands the Non-Final Office Action mailed 11 May 2007 pertaining to this application and the cited references.

**ART ISSUES: EVIDENCE THAT IT IS NOT OBVIOUS TO CORRELATE OR COMBINE
INTERNET ART ADVERTISING (d'Eon & Robinson) WITH OTHER ADVERTISING MEDIA
(Canon) PROVIDING REAL-TIME ANALYSIS/EVALUATION AND ONGOING MODIFICATION**

OF MULTIMEDIA ADVERTISING IN VIEW OF SALES OR OTHER BUSINESS RESULTS/OBJECTIVES.

- (1.) The State of the Advertising Art at the Time the Application was Filed: Internet distinguished from TV & various printed media.
- (2.) The Teachings of D'Eon & Robinson (Internet Art)
- (3.) The Teaching of Canon.
- (4.) Statements of the Inventor on the state of the advertising art at the time the application was filed and interpretation of the art cited against the application can be supported by an additional expert testimony.

CLAIM ISSUES.

Possible introduction of dependent claims as limitations of independent claims.